

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

de la MONTE *et al.*

Appl. No.: 09/964,667

Filing date: September 28, 2001

For: **Transgenic Animals and Cell Lines
for Screening Drugs Effective for
the Treatment or Prevention of
Alzheimer's Disease**

Confirmation No.: 3648

Art Unit: 1635

Examiner: McGarry, S.

Atty. Docket: 0609.4370005/RWE/FRC

Reply to Notice to Comply with Sequence Listing Requirements

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures," dated May 12, 2004, Applicants submit the following response.

Applicants note that a paper copy of a Sequence Listing, a computer readable form of the Sequence Listing, a Preliminary Amendment directing entry of the Sequence Listing into the specification, and a statement that the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing are the same were submitted with the Application when it was filed on September 28, 2001. Photocopies of the aforementioned documents (exclusive of the Sequence Listing diskette) and of the date-stamped postcard acknowledging receipt of the same by the USPTO are submitted herewith. In view of the foregoing, Applicants submit that the application is in full compliance with the requirements of 37 C.F.R. §§ 1.821-1.825.

In a telephone conversation between the undersigned and the Examiner on May 19, 2004, the Examiner confirmed that the paper copy of the Sequence Listing and the

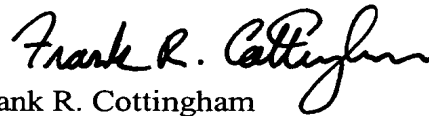
Preliminary Amendment directing its entry into the specification are in the USPTO's file for this application. The Examiner indicated, however, that the computer readable form is missing.

As a courtesy to the Examiner, Applicants submit herewith a Request to Open New Disk File, requesting that a new disk file be opened for the above-captioned patent application based on the computer readable form of the Sequence Listing that was submitted with the parent, U.S. Appl. No. 09/380,203. *See* 37 C.F.R. § 1.821(e).

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: MAY 28, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600